



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

SCOTT P. COWAN,
Debtor.

Chapter 7

Order Filed on October 23,
2019 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

Case No.: 16-14758 (SLM)

ANDREW R. VARA,
Acting United States Trustee,
Plaintiff,
v.
SCOTT P. COWAN,
Defendant.

Adv. Pro. No.: 17-01247 (SLM)

Hearing Date: March 8, 2019

Judge Stacey L. Meisel

**ORDER DENYING DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT AND GRANTING PLAINTIFF'S CROSS-MOTION FOR
SUMMARY JUDGMENT DENYING DEBTOR'S DISCHARGE**

The relief set forth on the following pages, numbered two (2) through three (3) is
ORDERED.

DATED: October 23, 2019

Honorable Stacey L. Meisel
United States Bankruptcy Judge

Page 2 of 3

Debtor: Scott P. Cowan

Adv. Pro. No: 17-01247-SLM

Caption of Order: Order Denying Defendant's Motion for Summary Judgment and Granting Plaintiff's Cross-Motion for Summary Judgment Denying Debtor's Discharge

THIS MATTER having come before the Court on *Defendant's Motion for an Order Granting Summary Judgment* ("**Debtor's Motion**") (Adv. Pro. Docket No. 15) filed by debtor Scott P. Cowan, by and through his attorneys, Scura, Wigfield, Heyer, Stevens & Cammarota, LLP, to dismiss the adversary proceeding objecting to the Debtor's discharge pursuant to 11 U.S.C. § 727(a)(3) with prejudice; and the United States Trustee ("UST") having filed *Plaintiff's Opposition to Defendant's Motion for an Order Granting Summary Judgment and Plaintiff's Cross-Motion Requesting Summary Judgment on Complaint to Deny Discharge Pursuant to 11 U.S.C. § 727* ("**UST's Cross-Motion**") (Adv. Pro. Docket No. 18); and Debtor having filed *Brief in Opposition to Plaintiff's Cross-Motion for Summary Judgment and Response to Plaintiff's Opposition to Defendant's Motion for Summary Judgment* ("**Debtor's Response**") (Adv. Pro. Docket No. 20); and the UST having filed *Plaintiff's Reply to Defendant's Opposition to Plaintiff's Cross-Motion Requesting Summary Judgment on Complaint to Deny Discharge Pursuant to 11 U.S.C. § 727* ("**UST's Reply**") (Adv. Pro. Docket No. 26); and for the reasons set forth on the record on the March 8, 2019 hearing on the Motion and the Cross-Motion ("**Summary Judgment Hearing**"); and the Court having reviewed the pleadings; and having heard the parties' arguments at the Summary Judgment Hearing; and for the reasons set forth in the Opinion dated October 23, 2019 (Adv. Pro. Docket No. 27),

IT IS HEREBY ORDERED THAT:

1. Pursuant to FED. R. CIV. PRO. 56(a), as made applicable by FED. R. BANKR. P. 7056, the Debtor's Motion is DENIED.

Page 3 of 3

Debtor: Scott P. Cowan

Adv. Pro. No: 17-01247-SLM

Caption of Order: Order Denying Defendant's Motion for Summary Judgment and Granting Plaintiff's Cross-Motion for Summary Judgment Denying Debtor's Discharge

2. Pursuant to FED. R. CIV. PRO. 56(a), as made applicable by FED. R. BANKR. P. 7056, the UST's Cross-Motion is GRANTED.

3. Debtor is denied a discharge pursuant to 11 U.S.C. § 727(a)(3).

4. The filing of a new bankruptcy case by the Debtor, or conversion to another Chapter under the Bankruptcy Code, shall not alter or affect the relief provided by this Order.

5. The UST shall serve a copy of this Order on the Debtor, Debtor's counsel, the Chapter 7 Trustee, the Office of the United States Trustee, and any party that has entered an appearance on the Motion.